

Title VI: Nondiscrimination in Federal-aid



Maryland Department of Transportation



TECHNICAL ASSISTANCE TOOL

A. General		Yes	No	?
1.	Has the STA submitted Title VI nondiscrimination assurances to the Division? (Considerations: within last 5 years, 2 years, or longer) (23 CFR 200.9(a)(1))			
2.	Does the assurance certify that discrimination based on sex is prohibited? 23 CFR 200.9(a)(2))			
3.	Does your assurance include Civil Rights provisions of other Federal statutes that prohibit discrimination? (23 CFR 200.5(p))			
4.	Does the STA have a Civil Rights (CR) unit, e.g., an office or department? (Considerations: Are the functions of your Civil Rights implementation delegated?) (23 CFR 200.9(b)(1))			
5.	Is the CR unit adequately staffed to effectively implement the State's CR requirements? (23 CFR 200.9(b)(2)) (Considerations: (a) The meaning of "adequate" is relative to each office with regard to overall staff responsibilities. There is no "magic figure" concerning the number of staff assigned implementation responsibilities. (b) Can your staff, in fact, implement the State's Civil Rights requirements vs. simply knowing what is expected of them as staff?)			
6.	Has your STA included in its directives, specific discriminatory practices that are prohibited? (49 CFR 21.5(b)) (Considerations: do your STA's directives prohibit practices such as, but not limited to: segregation or separate treatment in any part of the program; different standards or requirements for participation; discrimination in any employment resulting from a program?)			
B. Implementation				
1.	Has the STA designated a Title VI Coordinator or Title VI Specialist? (23 CFR 200.9(b)(1))			
2.	Does the Coordinator/Specialist have easy access to the Head of the STA? (23 CFR 200.9(b)(1) (Consideration: With regard to "access": Must the Coordinator or Specialist obtain permission from his/her supervisor or someone else before talking with the Head of the STA?)			
3.	Does the Title VI Coordinator/Specialist have the responsibility to monitor Title VI activities and prepare required reports? (23 CFR 200.9(b)(1))			
4.	Has the STA provided or coordinated Title VI training? (Consideration: within 1-3 years, attendees (# and disciplines) (23 CFR 200.9(b)(9))			
5.	Has the Title VI Coordinator/Specialist submitted a Title VI Implementation Plan to the Division Office for approval? (23 CFR 200.9(b)(11)) (Consideration: Federal regulations require an updated State Title VI Implementation Plan every year.)			
6.	Has the STA developed Title VI information for dissemination to the general public and, where appropriate, in languages other than English? (23 CFR 200.9(b)(12)) (Consideration: (a) The STA should have a demographic profile of the affected areas to determine this; (b) Examples of dissemination vehicles: TV, radio, Newspapers, town meetings, flyers, brochures, placement in public areas, etc.)			
7.	Has the Title VI Coordinator/Specialist prepared an annual accomplishment report for the past year, and goals for the next year? (23 CFR 200.9(b)(10)) (Note: There is no need for a separate update if the accomplishment report contains one.)			
8.	If your STA has received Federal Assistance through continuing State programs, has it established a Title VI compliance program for itself and its sub-recipients? (23 CFR 200.9(b)(5)(6)(7))			

Title VI: Nondiscrimination in Federal-aid



Maryland Department of Transportation



TECHNICAL ASSISTANCE TOOL

C. Procedures:		Yes	No	?
1.	Has the STA developed procedures for processing and resolving Title VI complaints received directly by the STA? (23 CFR 200.9(b)(3))			
2.	Are the complaints and a copy of the report of investigation forwarded to the Division Office within 60 days of the date the complaint was received by the STA? (23 CFR 200.9(b)(3))			
3.	Does the STA have civil rights personnel trained in compliance investigations? (23 CFR 200.9(b)(3)) (Examples: Programs offered by the Graduate School in the U.S. Department of Agriculture; consultants in the areas of complaints and investigations; FHWA training sessions; or other, certified trainers.)			
4.	Does the STA have a Title VI log that identifies each Complainant by race, color, sex, or national origin? (23 CFR 200.9(b)(3)), age or disability (23 CFR 200.5(p)(6)); by recipient, nature of complaint; dates the complaint was filed and the investigation completed; disposition; and other pertinent information? (23 CFR 200.9(b)(3))			
5.	Does the STA have procedures to collect and analyze statistical data (e.g., race, color, sex, national origin) of participants and beneficiaries for the STA programs (i.e., relocatees, impacted citizens, and affected communities)? (23 CFR 200.9(b)(4))			
6.	Has the STA established procedures to identify and eliminate discrimination when found to exist? (23 CFR 200.9(b)(14))			
7.	Has your STA used on-site compliance reviews to discover discriminatory practices? (See DOT Order 1000.12; and in general, 23 CFR 200.9)			
8.	Has the STA established procedures for promptly resolving deficiencies and reducing to writing the remedial action agreed to be necessary, within 90 days? (23 CFR 200.9(b)(15))			
9.	In accordance with the State's signed assurances and regulation guidelines, does the STA take affirmative action to correct deficiencies when found by the FHWA? (23 CFR 200.9(a)(3))			
10.	Has the STA established procedures for pre-grant and post-grant approval reviews of State programs and applicants for compliance with Title VI requirements (i.e., highway location, design and relocation, persons seeking contracts with the State)? (23 CFR 200.9(b)(13))			
11.	Does your STA take {prompt} action to achieve voluntary compliance as its first objective? (23 CFR 200.11(d))			
12.	Does your STA place an emphasis on community outreach and public education to inform funding recipients of the obligations imposed on them by Title VI? (23 CFR 200.9(b)(12))			
13.	Are Title VI and related requirements included in the applicable State program directives? (23 CFR 200.9(b)(8))			
D. Program Reviews:		Yes	No	?
1.	Has the STA developed a program to conduct Title VI reviews of program areas? (23 CFR 200.9(b)(5))			
2.	Has the STA conducted annual Title VI reviews of its [major] program areas to determine the effectiveness of program area activities at all levels? (23 CFR 200.9(a)(4)(b)(6))			
3.	Has the STA conducted Title VI reviews of sub-recipients (i.e., cities, counties, consultants, contractors, colleges, universities, MPOs, and other recipients of Federal-aid highway funds)? (23 CFR 200.9(b)(7))			
<p><i>MDOT ensures nondiscrimination and equal employment in all programs and activities in accordance with Title VI and Title VII of the Civil Rights Act of 1964. If you need more information or special assistance for persons with disabilities or limited English proficiency, contact the Office of Diversity at (410) 865-1397.</i></p>				